

117TH CONGRESS
2D SESSION

H. R. 6538

IN THE SENATE OF THE UNITED STATES

JULY 14, 2022

Received; read twice and referred to the Committee on the Judiciary

AN ACT

To create an Active Shooter Alert Communications Network,
and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Active Shooter Alert
3 Act of 2022”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) ACTIVE SHOOTER.—The term “active shooter” means an individual who is engaged in killing or attempting to kill persons with a firearm in a populated area and who is determined to pose an active, imminent threat to people in that populated area.

11 (2) ADMINISTRATOR OF FEMA.—The term “Administrator of FEMA” means the Administrator of the Federal Emergency Management Agency.

14 (3) CHAIRMAN OF THE FCC.—The term “Chairman of the FCC” means the Chairman of the Federal Communications Commission.

17 (4) COORDINATOR.—The term “Coordinator” means the Active Shooter Alert Coordinator of the Department of Justice designated under section 3(a).

21 (5) NETWORK.—The term “Network” means the Active Shooter Alert Communications Network, an interconnected system of Federal, State, Tribal, and local governments that is organized to provide information to the public, within geographically relevant areas, on active shooter situations.

1 (6) POPULATED AREA.—The term “populated
2 area” means a location where one or more persons
3 other than the active shooter are present.

4 (7) STATE.—The term “State” means any of
5 the 50 States, the District of Columbia, American
6 Samoa, Guam, Puerto Rico, the Northern Mariana
7 Islands, the Virgin Islands of the United States, and
8 any other territory of the United States.

9 **SEC. 3. NATIONAL COORDINATION OF ACTIVE SHOOTER**

10 **ALERT COMMUNICATIONS NETWORK.**

11 (a) COORDINATION WITHIN DEPARTMENT OF JUS-
12 TICE.—The Attorney General shall assign an officer of the
13 Department of Justice to act as the national coordinator
14 of the Active Shooter Alert Communications Network re-
15 garding an emergency involving an active shooter. The of-
16 ficer so designated shall be known as the Active Shooter
17 Alert Coordinator of the Department of Justice.

18 (b) DUTIES.—The Coordinator shall—

19 (1) encourage Federal, State, Tribal, and local
20 government agencies to establish procedures to re-
21 spond to an active shooter, including active shooter
22 procedures relating to interstate or interjurisdic-
23 tional travel (including airports and border crossing
24 areas and checkpoints), and focus on governments
25 that have not yet established such procedures; and

5 (c) GOALS.—The Coordinator shall encourage the
6 adoption of best practices established under section 4(a)
7 in State, Tribal, and local governments for—

8 (1) the development of policies and procedures
9 to guide the use of mass alert systems, changeable
10 message signs, or other information systems to no-
11 tify local residents, motorists, travelers, and individ-
12 uals in the vicinity of an active shooter;

1 clude the capability for issuing wide area alerts to
2 local residents, motorists, travelers, and individuals
3 in the vicinity of an active shooter;

4 (5) the planning of systems and protocols to fa-
5 cilitate the efficient issuance of active shooter alerts
6 and other key information to local residents, motor-
7 ists, travelers, and individuals in the vicinity of an
8 active shooter during times of day outside of normal
9 business hours;

10 (6) the provision of training and guidance to
11 transportation authorities to facilitate the appro-
12 priate use of mass alert systems and other informa-
13 tion systems for the notification of local residents,
14 motorists, travelers, and individuals in the vicinity of
15 an active shooter; and

16 (7) the development of appropriate mass alert
17 systems to ensure that alerts sent to individuals in
18 the immediate vicinity of an active shooter do not
19 alert the active shooter to the location of individuals
20 sheltering in place near the active shooter.

21 (d) INTEGRATED PUBLIC ALERT AND WARNING SYS-
22 TEM.—In carrying out duties under subsection (b), the
23 Coordinator shall notify and coordinate with the Adminis-
24 trator of FEMA, the Secretary of Transportation, and the

1 Chairman of the FCC on using the Integrated Public Alert
2 and Warning System to issue alerts for the Network.

3 (e) REPORT.—Not later than 18 months after the
4 date of enactment of this Act, and every 2 years thereafter
5 until such time as each of the State, Tribal, and local gov-
6 ernments have adopted an active shooter alert protocol,
7 the Coordinator, in consultation with the Administrator
8 of FEMA, Secretary of Transportation, and the Chairman
9 of the FCC, shall submit to Congress a report on the ac-
10 tivities of the Coordinator and the effectiveness and status
11 of the Active Shooter Alert communications plan of each
12 State, Tribal, and local government within each region
13 that has implemented such a plan.

14 **SEC. 4. STANDARDS FOR ISSUANCE AND DISSEMINATION**
15 **OF ALERTS THROUGH ACTIVE SHOOTER**
16 **ALERT COMMUNICATIONS NETWORK.**

17 (a) ESTABLISHMENT OF BEST PRACTICES.—

18 (1) IN GENERAL.—Subject to subsection (c),
19 the Coordinator, using the recommendations of the
20 Advisory Panel established under subsection (b) and
21 in coordination with the Administrator of FEMA,
22 the Secretary of Transportation, the Chairman of
23 the FCC, local broadcasters, and Federal, State,
24 Tribal, and local law enforcement agencies, shall es-
25 tablish best practices for—

(B) the extent of the dissemination of alerts issued through the Network; and

(C) the achievement of the goals described in section 3(c).

18 (b) ADVISORY PANEL.—

(A) at least 5 law enforcement officers, including at least one nonsupervisory law enforcement officer, who have responded to active shooter incidents and who represent rural, suburban, and urban communities;

(B) at least 1 public safety expert who is not a law enforcement officer and who has responded to an active shooter incident;

(C) at least 1 emergency response official who is not a law enforcement officer;

(D) at least 1 city planning expert; and

(E) at least 1 mental and behavioral health
rt.

(3) RECOMMENDATIONS.—Not later than 15 months after the date of enactment of this Act, the Advisory Panel shall submit to Coordinator recommendations with respect to the establishment of best practices under subsection (a).

(c) LIMITATIONS.—

(1) IN GENERAL.—The best practices established under subsection (a) shall—

(A) be adoptable on a voluntary basis only;

and

(B) to the maximum extent practicable (as determined by the Coordinator, in consultation

with State, Tribal, and local law enforcement agencies), provide that—

19 SEC. 5. COMPTROLLER GENERAL STUDY ON STATE RE-
20 SPONSES TO ACTIVE SHOOTER SITUATIONS
21 REQUIRING THE ISSUANCE OF PUBLIC
22 ALERTS AND WARNINGS.

23 (a) STUDY.—The Comptroller General of the United
24 States shall conduct a study on State and local responses
25 to active shooters and situations requiring the issuance of

1 a public alert or warning. Such study shall address each
2 of the following:

3 (1) Differences between the definitions of the
4 term “active shooter” used by different States.

5 (2) The amount of time it takes and the pro-
6 cess in each State to receive approval from the State
7 alerting officials after a local law enforcement agen-
8 cy requests the issuance of a public alert or warning,
9 such as an AMBER Alert, a Blue Alert, or an
10 Ashanti alert.

11 (3) A comparison of the timing and effective-
12 ness of the issuance of public alerts and warnings by
13 State, Tribal, and local alerting officials.

14 (b) REPORT TO CONGRESS.—Not later than 2 years
15 after the date of enactment of this Act, the Comptroller
16 General of the United States shall submit to Congress a
17 report containing the findings of the study conducted
18 under subsection (a).

19 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

20 (a) IN GENERAL.—There is authorized to be appro-
21 priated to the Attorney General to carry out this Act
22 \$2,000,000 for fiscal year 2023.

23 (b) AVAILABILITY OF FUNDS.—Amounts appro-
24 priated under subsection (a) shall remain available until
25 expended.

1 SEC. 7. LIMITATION ON LIABILITY.

2 (a) IN GENERAL.—Nothing in this Act may be con-
3 strued to provide that a participating agency, or an officer,
4 employee, or agent thereof, shall be liable for any act or
5 omission pertaining to the Network.

6 (b) STATE OR OTHER FEDERAL LAW.— Nothing in
7 this section may be construed to limit the application of
8 any State or other Federal law providing for liability for
9 any act or omission pertaining to the Network.

Passed the House of Representatives July 13, 2022.

Attest: CHERYL L. JOHNSON,
Clerk.